

**ATTORNEY DOCKET NUMBER: 2006517-0010 (Bacterial Delivery DIV2)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Caplan  
Serial No.: 10/728,323  
Filing Date: December 4, 2003  
Title: MICROBIAL DELIVERY SYSTEM

Examiner: Huynh  
Art Unit: 1644

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136(a)**

Pursuant to 37 C.F.R. § 1.136, Applicants hereby petition for a three (3) month extension of time to respond to the Office Action mailed January 29, 2007, in the above-identified application. The deadline for responding to the Office Action without fees was April 29, 2007. A three-month extension of time from April 29, 2007, up to and including July 29, 2007, is hereby respectfully requested, and a credit card form to cover the small entity fee of **\$510.00** is enclosed. Because July 29, 2007, falls on a Sunday, a response may be timely filed on the next succeeding day which is not a Saturday, Sunday, or a federal holiday. Thus, Applicants respectfully submit that this Notice of Appeal is timely filed on Monday, July 30, 2007.

Please charge any additional fees or credit any overpayments which may be required to our Deposit Account No. 03-1721.

Respectfully Submitted,

/Charles E. Lyon, D.Phil/

Charles E. Lyon, D.Phil.

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Date: July 30, 2007